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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/629,321	07/31/2000	THOMAS C. HILL	PF01869NA	4702
20280	7590	09/08/2004	EXAMINER	
MOTOROLA INC 600 NORTH US HIGHWAY 45 ROOM AS437 LIBERTYVILLE, IL 60048-5343			MOORE, JAMES K	
			ART UNIT	PAPER NUMBER
			2686	14

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/629,321

Applicant(s)

HILL ET AL.

Examiner

James K Moore

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 June 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-9, 11-14 and 22 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 4-9, 11-14 and 22 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 31 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 4, 13 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Menard (U.S. Patent Application Publication No. US 2003/0119568).

Regarding claim 4, Menard discloses an apparatus (sleeping device 300) comprising a sensor communicating sensor added information (glass breakage detection) to a communication device (wireless communications transceiver 380) within a network. The communication device controls a power consumption level of the communication device in response to the sensor added information. See Figure 2 and paragraphs 27, 28, 45 and 95. Menard's device therefore discloses all claimed structural limitations.

Menard does not disclose that the communication device uses a service discovery protocol to look for a fixed position sensor for additional sensor information to adjust the power consumption level of the communication device. However, while features of an apparatus may be recited either structurally or functionally, claims directed to an apparatus must be distinguished from the prior art in terms of structure rather than function alone. See MPEP 2114. Since Menard's communication device is capable of using a service discovery protocol to look for a fixed position sensor for

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additional sensor information to adjust the power consumption level of the device,

Menard anticipates claim 4.

Regarding claim 13, Menard discloses a method of improving battery life of a wireless communication device (sleeping device 300). The method comprises sensing environmental conditions (glass breakage) within a predetermined distance of the wireless communication device with a plurality of coupled sensors, determining a use pattern match based on the sensed environmental conditions, and adjusting a power consumption level of the wireless communication device in accordance with the usage pattern match. The wireless communication device switches from a stand-by power mode to an active mode when the sensed environmental conditions satisfy a predetermined condition (glass breakage) and automatically transmits a predetermined message to a predetermined device after the predetermined condition is satisfied. See page 2, paragraphs 27 and 28 and page 7, paragraph 95.

Regarding claim 14, Menard discloses all of the limitations of claim 13, and furthermore, the glass breakage sensor may be a motion sensor, light sensor, or sound sensor.

3. Claim 5 is rejected under 35 U.S.C. 102(e) as being anticipated by Thomas (U.S. Patent Application Pub. No. 2003/0060212).

Regarding claim 5, Thomas discloses an apparatus comprises a sensor communicating sensor added information to a communication device within a network to

control a power consumption level of the communication device. The sensor includes a motion sensor. See page 2, paragraph 0032.

Thomas does not disclose that the motion sensor is used to place the communication device in a stand-by power mode when the communication device is moving or to place the communication device in an active mode when the communication device is still. However, since the claim is not structurally distinguished from Thomas, and since Thomas's motion sensor is capable of being used to place the communication device in a stand-by power mode when the communication device is moving or to place the communication device in an active mode when the communication device is still, Thomas anticipates claim 5.

4. Claim 6 is rejected under 35 U.S.C. 102(e) as being anticipated by Tuomela et al. (U.S. Patent Application Pub. No. US 2001/0031633).

Regarding claim 6, Tuomela discloses an apparatus comprising a sensor communicating sensor added information to a communication device within a network. The sensor determines a position of the communication device. See page 3, paragraph 0040.

Tuomela does not disclose that if the position of the wireless communication device is an active position, the communication device is placed in an active power mode and if the position is an inactive position, the device is placed in a stand-by power mode. However, since the claim is not structurally distinguished from Tuomela, and since Tuomela's communication device is capable of being placed in an active power

mode in an active position and a stand-by mode in an inactive position, Tuomela anticipates claim 6.

5. Claims 7-9, 11, 12 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Hild et al. (U.S. Patent No. 6,532,368).

Regarding claims 7-9, 11 and 12, Hild discloses a wireless network comprising a master device. The master device is capable of requesting service (e.g., a print request) on a wireless ad hoc network. The wireless network also comprises a plurality of slave devices wirelessly connected to each other and to a corresponding master device. One of the slave devices includes a sensor (e.g., a smoke or fire detector). Processed sensor information from the sensor may be shared by each of the slave devices and the corresponding master device. See col. 4, lines 48-61; col. 5, lines 56-65; and col. 7, line 10 through col. 8, line 8.

Regarding claim 7, Hild does not disclose that one of the slave devices uses the shared processing sensor information to select an alternate master device. However, since the claim is not structurally distinguished from Hild, and since Hild's slave devices are capable of using the shared processed sensor information to select an alternate master device, Hild anticipates claim 7.

Regarding claim 8, Hild also does not disclose that respective power levels of one of the slave devices or the master device are adjusted in accordance with the processed sensor information. However, since the claim is not structurally distinguished

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from Hild, and since the power levels of Hild's slave devices are capable of being adjusted in accordance with the processed sensor information, Hild anticipates claim 8.

Regarding claim 9, Hild also discloses that the slave devices use a service discovery protocol to look for a fixed position sensor additional sensor information. See col. 4, lines 48-61. Hild does not disclose that the additional sensor information is used to select an alternate master device. However, since the claim is not structurally distinguished from Hild, and since Hild's slave devices are capable of using the additional sensor information to select an alternate device, Hild anticipates claim 9.

Regarding claim 11, Hild also discloses that the network comprises a central controller (CPU 17) connected to the master device. See col. 10, lines 1-48. Hild does not disclose that the central controller utilizes the processed sensor information to determine capacity allocation and device allocation of the slave devices and the master device to improve a capacity of the wireless network. However, since the claim is not structurally distinguished from Hild, and since Hild's central controller is capable of utilizing the processed sensor information to determine capacity allocation and device allocation of the slave devices and the master device to improve a capacity of the wireless network, Hild anticipates claim 11.

Regarding claim 12, Hild does not disclose that the central controller utilizes the processed sensor information to adjust the device allocation of the slave devices and the master device to improve a capacity of the wireless network. However, since the claim is not structurally distinguished from Hild, and since Hild's central controller is capable of utilizing the processed sensor information to adjust the device allocation of

the slave devices and the master device to improve a capacity of the wireless network, Hild anticipates claim 12.

Regarding claim 22, Hild discloses an apparatus comprises a sensor (smoke or fire detector) communicating sensor added information to a communication device within a network. The network configuration is adjusted to readjust device allocation to a different device. See col. 4, lines 48-61; col. 5, lines 56-65; and col. 7, line 10 through col. 8, line 8.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ken Moore, whose telephone number is (703) 308-6042. The examiner can normally be reached on Monday-Friday from 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold, can be reached at (703) 305-4379.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Ken Moore

JKM

8/24/04

LK
9/2/04
LESTER G. KINCAID
PRIMARY EXAMINER